IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

RP.No. 2 of 2007(N)

AGAINST THE JUDGEMENT/ORDER IN WPC.29540/2006 Dated 29/11/2006
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REVIEW PETITIONER/2ND RESPONDENT

THE MALAYATTOOR NEELESWARAM GRAMA
PANCHAYAT, REP. BY ITS SECRETARY,
PANCHAYAT OFFICE, NEELESWARAM P.O.

BY ADV. SMT.REKHA C.NAIR

RESPONDENTS: PETITIONER/1ST RESPONDENT
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1. V.K.SHAJI,
LIBRARIAN, MALAYATTOOR-NEELESHWARAM GRAMA
PANCHAYAT, RESIDING AT VATTAPARA HOUSE,
NEELESHWARAM P.O., (VIA)KALADY, ERNAKULAM.

2. STATE OF KERALA, REP. BY
THE SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.S.RAMESH BABU
GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 12/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.K.DENESAN, J

R.P.NO.2 of 2007

Dated this the 12th day of January, 2007

O R D E R

This review petition is at the instance of the second respondent in the writ petition. There was no appearance for the second respondent despite service of notice. Having regard to the fact that the service of the petitioner was terminated, the case was taken up for consideration and after hearing the learned counsel for the petitioner and perusing the materials on record, the impugned order of termination was set aside and this Court directed the second respondent to reinstate the writ petitioner in service within the time limit stipulated in that judgment. The review petitioner has not complied with the directions in the judgment.

2. According to the second respondent(review petitioner), all arrangements were made to defend the case, but unfortunately, the counsel with whom the brief was entrusted acted irresponsibly and the second respondent has been put to trouble.

3. It is unnecessary for this Court to say anything with respect to the averments made by the second respondent about the alleged lapses on the part of the counsel. I need only state that if the facts

thus stated are correct, it is valid ground to review the judgment. I am, therefore, inclined to give the benefit of doubt to the second respondent. Accordingly, the judgment is reviewed and the same is recalled.

R.P. stands allowed.

K.K.DENESAN, JUDGE

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